

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
LOREN QUALLS, THEKARMICLEAF, a
Limited Liability Company,

Plaintiffs,

v.

SMALL BUSINESS ADMINISTRATION,
an independent agency of the federal
government; SUPPLEMENTAL
TARGETED ADVANCE PROGRAM, a
non-for-profit initiative, Isabella Guzman,
Antwan Griffin, Mark Lingren, Diedra
Henry-Spires, Major Clark, Kendall
Corely, Francisco Sanchez, and June Healy

Defendants.

No. 1:22-cv-00511-JLT-HBK

NOTICE OF VOLUNTARY DISMISSAL
WITH PREJUDICE UNDER FED. R. CIV. P.
41(a)(1)(A)(i)

(Doc. No. 6)

ORDER MOOTING MOTION FOR
SUMMARY JUDGMENT

(Doc. No. 4)

Pending before the Court is the Relator's Notice of Voluntary Dismissal filed January 11, 2023. (Doc. No. 6). Relator file a notice to dismiss the instant action *without prejudice*. (*Id.*) (emphasis added). Federal Rule of Civil Procedure 41(a)(1)(A)(i) permits a plaintiff to "dismiss an action without a court order by filing . . . a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." *Id.* As of the date of this order, no Defendant entered either an answer or a motion for summary judgment. (*See* docket). Further, the United

1 States has not intervened in this action. Based on the Relator's notice, this action is terminated by
2 operation of law without further order from the Court. Fed. R. Civ. P. 41(a)(1)(A)(i). The
3 voluntary dismissal moots the Relator's pending motion for summary judgment.

4 In its Consent to Voluntary Dismissal, the United States requests the following documents
5 be unsealed: the Relator's Complaint, the Relator's Notice of Voluntary Dismissal, the United
6 States Notice of Consent, and this Order. (Doc. No. 5 at 2). Local Rule 141(f) permits the Court
7 upon a finding of good cause to unseal documents either upon the motion of any person or upon
8 the Court's own motion. The Court finds good cause to unseal all documents in this case.

9 Accordingly, it is **ORDERED**:

- 10 1. The motion for summary judgment filed on behalf of Relator (Doc. No. 4) is MOOT.
- 11 2. The Clerk of Court shall terminate all pending deadlines and CLOSE this action to
12 reflect Relator's Notice of Voluntary Dismissal consistent with Fed. R. Civ. P. 41(a)(1)(A)(i).
- 13 3. The Clerk of Court shall UNSEAL all documents in this case.

14
15 Dated: January 17, 2023


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE